



In re Application of:

Confirmation No. 2194

Hans-Peter BUCHSTALLER et al.

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Examiner: Unassigned

Application No. 10/590,798 Filed: August 25, 2006

Art Unit: Unassigned

For: BENZIMIDAZOLYL DERIVATIVES

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56 and 37 CFR §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of the listed document is being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.





RELEVANCE

These documents came to the Applicants' attention during a search of the corresponding international application. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

TIMING/FEE

The instant Information Disclosure Statement is being filed in compliance with 37 CFR §1.97(b) prior to the mailing date of the first official action, therefore, no fee is required in connection with its filing. However, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 08-1641.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

Date:

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Substitute for form 1449A/PTO

PTO/SB/08A (08-00)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

of 2 Sheet

Complete if Known					
Application Number	10/590,798				
Filing Date	August 25, 2006				
First Named Inventor	Hans-Peter BUCHSTALLER et al.				
Group Art Unit	Unassigned				
Examiner Name	Unassigned				
Attorney Docket Number	24945-0041.US				

	U.S. PATENT DOCUMENTS							
Examiner Initials *		U.S. Patent Document		Name of Patentee or	Date of Publication of	Pages, Columns, Lines, Where Relevant		
	Cite No.1	Number	Kind Code ² (if known)	Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear		
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			4	OREIGN	PATENT DOCUMENTS			
Examiner Initials*	Cite No. ¹	Foreign Patent Document Office Number ⁴ Kind Code ⁵ (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ₆	
-	A01	wo	2004/037789	Α	Merck Patent GmbH et al.	5/6/2004		
	A02	wo	2005/053692	Α	The Scripps Research Inst. et al.	6/16/2005		
	A03	wo	2004/078748	Α	Bayer Pharm. Corp. et al.	9/16/2004		
	A04	wo	02/44156	Α	Glaxo Group Limited et al.	6/6/2002		
	A05	wo	02/081463	А	Telik, Inc.	10/17/2002		
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Examiner Signature	Date Considered	

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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark hee if English language Translation is attached.

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Substitute	for form 1449A	VPTO		Complete if Known			
=			01 001105	Application Number	10/590,798		
			CLOSURE	Filing Date	August 25, 2006		
STATEMENT BY APPLICANT				First Named Inventor	Hans-Peter BUCHSTALLER et al.		
				Group Art Unit	Unassigned		
	(use as many	/ sheets as	necessary)	Examiner Name	Unassigned		
Sheet 2 of 2 Attorn		Attorney Docket Number	24945-0041.US				

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	OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS					
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T 2			
	A06	BARALDI, P.G. ET AL.: J.MED.CHEM., vol. 41, no. 17, 1998, pp. 3174-3185; DATABASE BEILSTEIN, XP002341852, Database accession no. BRN 8049988 abstract				
	A07	MURAKAMI, Y. ET AL.: BIOORG.MED.CHEM., vol. 7, no. 8, 1999, pp. 1703-1714, DATABASE BEILSTEIN XP002341853, Database accession no. BRN 8403709 abstract				
						

Examiner	Date		
Signature	Considered	ļ	

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